

UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America

v.

DERRICK DEAN CLOUD JR.

Case: 2:22-mj-30064
 Assigned To : Unassigned
 Case No. Assign. Date : 2/10/2022
 Description: CMP USA v. SEALED
 MATTER (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the week of January 24th, 2022 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	(Felon in Possession of a Firearm)

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.



Complainant's signature

Brett J. Brandon, Special Agent, ATF
 Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: February 10, 2022

City and state: Detroit, MI



Judge's signature

Hon. Jonathan J.C. Grey, United States Magistrate Judge
 Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT

I, Brett J. Brandon, being first duly sworn, hereby state:

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Department of Justice, assigned to the Detroit Field Division since July 2013. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with ATF, I have conducted and/or participated in numerous criminal investigations focused on firearms, drug trafficking violations, and criminal street gangs.

2. I make this affidavit from personal knowledge based on my participation in this investigation, including interviews conducted by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

3. ATF is currently conducting a criminal investigation concerning DERRICK DEAN CLOUD JR. (B/M; DOB: XX/XX/1999) for violations of 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm), among other state and federal criminal violations.

PROBABLE CAUSE

4. I reviewed Michigan Law Enforcement Information Network, Michigan Sixth Circuit Court, and Michigan Department of Corrections records, to include a computerized criminal history (CCH) for CLOUD, which revealed the following felony convictions in Rutherford County, Tennessee:

5. February 7, 2020 – Schedule II Drugs – Cocaine.

6. August 12, 2020 – Schedule I Drugs: Manufacture, Sell, Possession – Attempt.

7. I also reviewed Oakland County Sheriff's Office CR No. 220019124, documenting the January 27, 2022 arrest of CLOUD pursuant to several outstanding felony arrest warrants during a search warrant for CLOUD's body served at 12 Starlite Lane in Pontiac, Michigan. The following is a summary of the report.

8. On January 27, 2022 at approximately 9:22 pm, the OCSO obtained and served a search warrant for CLOUD's body at 12 Starelite Lane in Pontiac, Michigan. The OCSO personnel knocked and announced at the front door, "Police with a search warrant! Come to the door and open it!" The OCSO personnel heard the occupants state, "It's the police! Go out the window!" Shortly thereafter, the OCSO personnel forced entry into the residence utilizing a ram. Upon entry, the OCSO personnel ordered the occupants to the ground, but several of the occupants ran around inside trying to find a way out. The OCSO personnel breached a window in the kitchen area and gave orders to the occupants as well. Eventually all the occupants got on the ground and were detained. The OCSO located CLOUD exiting the apartment bedroom as well as MONIQUE MARIE GOANS. The OCSO personnel arrested CLOUD and GOANS pursuant to outstanding felony arrest warrants. The OCSO personnel also encountered five (5) other individuals inside the apartment, who were investigated and released.

9. Upon preparing to exit the apartment, OCSO detectives spoke to GOANS and asked if she would like them to call someone to remain in her apartment or would like them to leave any of the occupants there since the window and door were damaged. GOANS

advised she did not want any of the occupants to remain and wanted the detectives to secure the apartment. One of the detectives asked GOANS where her keys were so they could secure the apartment. GOANS directed the detective to her purse located in the only bedroom. The detective went to the bedroom, located the purse on the bed, but could not locate the keys. The detective turned around with his flashlight activated and observed the bottom of an extended handgun magazine inside a partially opened drawer along the north wall. The detective opened the drawer and recovered a Glock 17 Gen 1 9mm pistol bearing serial number "CU575US" loaded with a thirty (30) round magazine containing thirty (30) rounds of 9mm ammunition and one (1) round in the chamber. The detective queried LEIN and learned the pistol was last registered to an individual in Hamtramck, Michigan, but not reported stolen to the National Crime Information Center (NCIC). Another detective asked GOANS about the firearm and GOANS denied any knowledge of the firearm.

10. On January 28, 2022 at approximately 2:04 pm, Special Agent Weston and I conducted an audio recorded post-*Miranda* interview of CLOUD at the Oakland County Jail, located at 1201 North Telegraph Road in Pontiac, Michigan. I read aloud the "Rights" portion

of the ATF Advice of Rights and Waiver (ATF Form 3200.4) and CLOUD read aloud the “Waiver” portion, CLOUD acknowledged he understood his rights, voluntarily agreed to waive his rights, signed and dated the form, and in response to questioning, stated in summary and not verbatim, as follows:

11. CLOUD denied ownership of the firearm.
12. CLOUD admitted to being a convicted felon, currently on probation for narcotics related offenses in Tennessee.
13. CLOUD admitted to handling the firearm inside of a different apartment in Pontiac, Michigan approximately several days to a week prior to his arrest and to seeing the firearm “plenty of times” prior.
14. CLOUD stated, “The gun not mine, but it might, I might have cells on it, ‘cause I done touched it, hold it, like ‘damn this a good, this a big ass gun, a police gun. Damn! You feel me...You could kill somebody with this”. During this statement, CLOUD made his hand into the shape of a pistol and made the motion of pointing a pistol and racking the slide. CLOUD further stated he racked the slide and observed a round in the chamber and observed a fully loaded thirty-round extended magazine inserted in the firearm. I noted the firearm

was recovered by the OCSO in the same condition, with a round in the chamber and a fully loaded thirty-round extended magazine inserted in the firearm.

15. CLOUD admitted to being a fugitive and to cutting his hair to avoid detection by law enforcement. CLOUD also admitted to trying to escape from the apartment when the OCSO served the search and arrest warrant at the apartment.

16. CLOUD admitted to running from the living room to the bedroom when police arrived at the apartment before ultimately running back to the living room/dining room.

17. On January 31, Special Agent Brandon contacted ATF Interstate Nexus Expert, Special Agent Michael Jacobs and provided a verbal description of the Glock 17 Gen 1 9mm pistol bearing serial number “CU575US”. Based upon the verbal description, Special Agent Jacobs advised the firearm is a firearm as defined under 18 U.S.C. § 921 and manufactured outside of the state of Michigan after 1898, and therefore had traveled in and affected interstate commerce.

CONCLUSION

18. Based upon the aforementioned facts stated herein, there is probable cause to believe DERRICK DEAN CLOUD JR (B/M; DOB: XX/XX/1999), a convicted felon aware of his felony conviction, did knowingly and intentionally possess a Glock 17 Gen 1 9mm pistol bearing serial number “CU575US”, a firearm having affected interstate commerce, in violation of 18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm. Said violation occurring on or about the week of January 24, 2022, in the city of Pontiac, in the County of Oakland, in the Eastern Judicial District of Michigan.

Respectfully submitted,



Brett J. Brandon
ATF Special Agent

Sworn to before me and signed in my presence and/or by reliable electronic means.


Hon. Jonathan J.C. Grey
United States Magistrate Judge

Dated: February 10, 2022